#### **COMMUNITY MEETING REPORT**

**Petitioner: Movement Resources** Rezoning Petition No. 2021-011

This Community Meeting Report is being filed with the Office of the City Clerk and the Charlotte Planning, Design and Development Department pursuant to the provisions of the City of Charlotte Zoning Ordinance.

#### PERSONS AND ORGANIZATIONS CONTACTED WITH DATE AND EXPLANATION OF HOW CONTACTED:

A representative of the Petitioner mailed a written notice of the date and time of the Community Meeting, and information on how to access the Community Meeting to the individuals and organizations set out on Exhibit A-1 attached hereto by depositing such notice in the U.S. mail on February 19, 2021. A copy of the written notice is attached hereto as Exhibit A-2.

#### **DATE, TIME AND LOCATION OF MEETING:**

The Community Meeting was held on Thursday, March 4, 2021 at 6:30 PM. The Community Meeting was a virtual Community Meeting and was held by way of a Zoom Webinar.

#### PERSONS IN ATTENDANCE AT MEETING:

The Community Meeting was attended by those individuals identified on <u>Exhibit B</u> attached hereto. The Petitioner's representatives at the Community Meeting were Garrett McNeill and Tim Hurley of the Petitioner, Greg Welsh of Oak Engineering and John Carmichael of Robinson Bradshaw & Hinson, P.A.

#### **SUMMARY OF ISSUES DISCUSSED:**

The Petitioner's representatives utilized a power point presentation during the Community Meeting, a copy of which is attached hereto as Exhibit C.

John Carmichael welcomed the attendees to the Community Meeting and introduced himself and the Petitioner's representatives. John Carmichael stated that this is the official Community Meeting relating to Rezoning Petition No. 2021-011.

John Carmichael provided the current schedule of events relating to this rezoning request. He stated that the earliest that the Public Hearing could occur is Monday, April 19, 2021 at 5:00 P.M. at the Charlotte-Mecklenburg Government Center located at 600 East 4<sup>th</sup> Street. However, the Public Hearing will likely be a virtual meeting due to COVID-19. John Carmichael stated that the Public Hearing is before City Council and the Zoning Committee. John Carmichael stated that the Public Hearing could be deferred for some reason.

The earliest that the Zoning Committee Work Session could be held is Tuesday, May 4, 2021 at 5:30 P.M. at the Charlotte-Mecklenburg Government Center. However, the Zoning Committee Work Session will likely be a virtual meeting due to COVID-19. Although the Zoning Committee Work Session is a public meeting, it is not a Public Hearing. This means that the public is welcome to attend the meeting, however, neither the public nor the Petitioner typically speak at this meeting. The Zoning Committee will make a recommendation to City Council as to whether or not this Rezoning Petition should be approved or denied.

The earliest date that City Council could render a decision on this rezoning request is Monday, May 17, 2021 at 5:00 P.M. at the Charlotte-Mecklenburg Government Center. The May 17, 2021 City Council Meeting will likely be a virtual meeting.

John Carmichael then showed a map and aerial photographs that depict the site. John Carmichael stated that the site subject to this Rezoning Petition contains approximately 4.14 acres and is located on the north side of Central Avenue just east of the intersection of North Sharon Amity Road and Central Avenue. The site is located next to QuikTrip and the Eastland Mall site.

John Carmichael shared a slide that shows the current zoning of the site and adjacent and nearby parcels of land. John Carmichael stated that the site is currently zoned MUDD-O. The Eastland Mall site is zoned MUDD-O and MX-2 (Innovative). The QuikTrip site is zoned B-1 (CD). The parcels of land located to the south of the site are zoned B-1 and O-2.

John Carmichael then shared and discussed the currently approved rezoning plan for the site. John Carmichael stated that the development and use of the site are governed by the approved conditional rezoning plan and the Zoning Ordinance in effect when the site was rezoned to the MUDD-O zoning district in 2019.

John Carmichael stated that under the approved conditional rezoning plan, two buildings are permitted on the site, and the total maximum gross floor area permitted on the site is 100,000 square feet. The uses that are permitted on the site under the approved conditional rezoning plan are an elementary and secondary school comprised of a kindergarten, an elementary school and a middle school; an eating, drinking and entertainment establishment (Type 1) and a religious institution as a secondary, non-principal and/or accessory use to the school. The maximum size of an eating, drinking and entertainment establishment Type 1 is 2,000 square feet of gross floor area and drive-in and drive-through service lanes/windows are prohibited on the site.

John Carmichael stated that Movement School Eastland is located on the site, and he showed pictures of the exterior and interior of one of the school buildings located on the site.

John Carmichael stated that pursuant to this Rezoning Petition, the Petitioner is requesting a site plan amendment to the approved conditional rezoning plan for the site to allow an additional maximum 6,000 square foot building on the site and the following uses on the site in addition to the existing approved uses: professional and general office uses, including a medical clinic; retail and personal service uses; and eating, drinking and entertainment establishments (Type 1 and/or Type 2). The option for accessory drive through windows will be removed from the Petitioner's conditional rezoning plan.

Pursuant to this site plan amendment request, a maximum of three principal buildings could be located on the site, and the total maximum allowed gross floor area of the three principal buildings would be 106,000 square feet. Of the allowed 106,000 square feet of gross floor area, a total maximum of 8,000 square feet could be devoted to eating, drinking and entertainment establishments (Type 1 and/or Type 2) and retail sales and service uses. Of the allowed 106,000 square feet of gross floor area, a total maximum of 15,000 square feet could be devoted to professional business and general office uses, including a medical clinic.

John Carmichael stated that the applicable land use plan for this site is the Eastland Area Plan, and the Eastland Area Plan recommends single family, multi-family, office and retail uses on this site.

John Carmichael then shared and discussed the Petitioner's conditional rezoning plan associated with this site plan amendment request. John Carmichael stated that the only meaningful difference between the currently approved conditional rezoning plan and the conditional rezoning plan associated with this site plan amendment request is the additional maximum 6,000 square foot building that would be located along the site's frontage on Central Avenue.

The Community Meeting was then devoted to a question, answer and comment session. Set out below is a summary of the responses to the questions as well as the comments and concerns that were expressed at the meeting.

- In response to a question regarding the amount and location of the parking for the proposed new building, John Carmichael stated that the required parking is 1 parking space per 600 square feet of gross floor area. Greg Welsh stated that parking would be located above and below the new building, and parking would also be available across the drive aisle. Tim Hurley stated that about 60 percent of the parking spaces on the site are currently being utilized.
- An attendee expressed concerns regarding the flow of traffic into and out of the site, and she described the issues caused by the dedicated bus lane on Central Avenue. This attendee is concerned about traffic safety in general and the impact of this development on traffic safety. This attendee stated that vehicles exiting the site onto Central Avenue could cause a safety issue, particularly in view of the dedicated bus lane on Central Avenue.
- The same attendee expressed concerns regarding vehicles trying to access the site by way of the private drive on the Eastland Mall site located to the north of the site. She stated that recently cars were backed up on the private drive almost all the way to North Sharon Amity Road, and that these cars were blocking the access point into the QuikTrip site. Tim Hurley stated that the queuing issues should improve as parents become more accustomed to dropping off and picking up their children at the school.
- The same attendee reiterated her concerns regarding traffic. Garrett McNeill stated that Movement Resources is working closely with Crosland Southeast, the developer of the Eastland Mall site, and Crosland Southeast asked Movement Resources to try to add retail uses to its site. Garrett McNeill stated that when Crosland Southeast implements its development plan for the Eastland Mall site, improved traffic flow can hopefully be provided.
- The same attendee stated that it would be ideal if Movement Resources could join the community in the community's efforts to eliminate the dedicated bus lane on Central Avenue. Council Member Newton addressed the meeting, and he stated that the dedicated bus lane will hopefully be eliminated by the end of the month. Garrett McNeill stated that he would be happy to assist in the efforts to have the dedicated bus lane eliminated.
- Council Member Newton stated that they are pushing for a traffic signal at the intersection of Wilora Lake Road and North Sharon Amity Road.
- In response to a question regarding the type of retail or restaurant uses that would be located on the site, Garrett McNeill stated that Movement Resources cannot really go out to the market unless and until the rezoning request is approved. The retail and restaurant space is a little speculative as well at this point. However, any retail or restaurant uses located on the site would have to be complementary to the school, and they would have to be the right kinds of

operators. Garrett McNeill stated that it would be a narrow pool of tenants, and that he believes that the community would like the retail uses or restaurant uses that would be located on the site.

- In response to a question regarding what improvements can be made to the private drive located to the north of the site, Garrett McNeill stated that the private drive is not located on Movement Resources' property, and that any improvements to this private drive would have to be made by Crosland Southeast.
- An attendee stated that the private drive located to the north of the site needs to be widened, and she stated that there are safety concerns at the intersection of this private drive and North Sharon Amity Road.
- In response to a question, Garrett McNeill stated that if a medical clinic was placed on the site, it would be located in one of the existing buildings. The medical clinic would be separated from the school and it would have a separate entrance.
- In response to a question, Greg Welsh stated that the setback from Central Avenue for the proposed new 6,000 square foot building would be 20 feet from the future back of curb.
- An attendee reiterated her concerns regarding traffic and safety.

John Carmichael thanked the attendees for attending the meeting, and the meeting was adjourned.

#### CHANGES MADE TO THE PETITION AS A RESULT OF THE COMMUNITY MEETING AS OF THE DATE HEREOF:

No changes have been made to the rezoning plan or to the Rezoning Petition as of the date of this Community Meeting Report solely as a result of the Community Meeting.

Respectfully submitted, this 15th day of March, 2021

Movement Resources, Petitioner

cc: Mr. Will Linville, Charlotte Planning, Design & Development Department (via e-mail)

#### PLEASE NOTE THERE ARE TWO MAILING LISTS YOU NEED TO USE. SEE BOTH TABS BELOW AND MAIL TO ALL NAMES LISTED. PLEASE CONTACT US WITH ANY

2021-011	TAXPID	OWNERLASTN	OWNERFIRST	COWNERFIRS	COWNERLAST	MAILADDR1	MAILADDR2	CITY	STATE	ZIPCODE
2021-011	10301106	BELLSOUTH TELECOMMUNICATIONS	INC		C/O TAX DEPT/16H02 CAMPANILE	PO BOX 7207		BEDMINSTER	NJ	07921
2021-011	10301107	BELLSOUTH TELECOMMUNICATIONS	INC		C/O TAX DEPT/16H02 CAMPANILE	PO BOX 7207		BEDMINSTER	NJ	07921
2021-011	10301108	BELLSOUTH TELECOMMUNICATIONS	INC		C/O TAX DEPT/16H02 CAMPANILE	1155 PEACHTREE ST NORTHEAST		ATLANTA	GA	30309
2021-011	10301109	JKS MANAGEMENT LLC				PO BOX 6969		SYRACUSE	NY	13217
2021-011	10304127	MOVEMENT RESOURCES				11405 COMMUNITY HOUSE RD 8024 CALVIN HALL RD		FORT MILL	SC	29707
2021-011	10304128	QUICKTRIP CORPORATION			ATTN: TAX DEPT	PO BOX 3475		TULSA	OK	74101
2021-011	10304199	CITY OF CHARLOTTE				600 E FOURTH ST		CHARLOTTE	NC	28202
2021-011	10305301	VO	BAO			980 BLOOR ST		MISSISSAUGO	ON	L4Y 2N2
2021-011	10305325	ALVARENGA	TRANSITO	SUSAN M	ALVARENGA	3800 N SHARON AMITY RD		CHARLOTTE	NC	28205
2021-011	10305326	GRANVILLE LLC				4517 RANDOLPH RD		CHARLOTTE	NC	28211



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2021-011	ORGANIZATION_NAME	FIRST_NAME	LAST_NAME	STREET_ADDRESS	UNIT_NUM	CITY	STATE	ZIP
2021-011	Back Creek I Homeowners Association	Management		4957 Albemarle Rd		Charlotte	NC	28205
2021-011	Charlotte East Community Partners	Darrell	Bonapart	5707 Justins Forest Dr		Charlotte	NC	28212
2021-011	Charlotte East Community Partners	Heather	Ferguson	6031 Hanna Ct		Charlotte	NC	28212
2021-011	Charlotte East Community Partners	Susie	Hines	6023 Hanna Court		Charlotte	NC	28212
2021-011	Coventry Woods Neighborhood Association	John	Bordsen	4810 Beechknoll Ct		Charlotte	NC	28212
2021-011	Coventry Woods Neighborhood Association	Therese	Bohn	5032 Glenbrier Dr.		Charlotte	NC	28212
2021-011	Easthaven Neighborhood Association	Sue	McKenzie	3733 Driftwood Dr		Charlotte	NC	28205
2021-011	Eastway Park/ Sheffield Park Neighborhood Association	Nathan	Karow	3319 Diftwood Dr		Charlotte	NC	28205
2021-011	Eastway/Sheffield Park	Amir	Behdani	4049 Southgate Dr.		Charlotte	NC	28205
2021-011	Four Seasons Home Owners Association Inc.	Dian	Threatt	5050 Farm Pond Ln.		Charlotte	NC	28212
2021-011	Four Seasons Home Owners Association Inc.	Robert Bruce	Dannelly	5050 Farm Pond Ln.		Charlotte	NC	28212
2021-011	Harris Lake COA	Hal	Roth	5843 Harris Grove Lane		Charlotte	NC	28212
2021-011	Mcalpine Neighborhood Association	Thang	Bawi	5451 Springset Dr Apt - H		Charlotte	NC	28226
2021-011	Oaks Condominiums, The	Louise	Barden	1501 Lansdale Dr	Unit G	Charlotte	NC	28205
2021-011	OMITT Trade School	Zeke	Burns	5413 Albemarle Rd	Н	Charlotte	N.C.	28212
2021-011	Sedgefield Neighborhood Association	Will	Johns	5413 Albemarle Rd	Н	Charlotte	NC	28209
2021-011	Sheffield Park Neighborhood Association	Sandy	Weaver	5129 Greenbrook Dr		Charlotte	NC	28205
2021-011	Starmount Neighborhood Association	Craig	Harmon	5514 Starkwood Dr		Charlotte	NC	28212
2021-011	Vernedale Farmes/ Glenn	Susie	Hines	6023 Hanna Court		Charlotte	NC	28212
2021-011	Vernedale Farms	Heather	Ferguson	6031 Hanna Ct		Charlotte	NC	28212
2021-011	Vernedale Farms	Larry	Hines	6023 Hanna Ct		Charlotte	NC	28212
2021-011	VIRTUE, Inc.	La'Shell	Clark	639 Wilora Landing Rd		Charlotte	NC	28212
2021-011	Westerly Hills Neighborhood Association	Joe	Wise	617 Wilora Landing Road		Charlotte	NC	28212
2021-011	Westerly Hills Neighborhood Association	Tollie	Woods	5701 Wilora Lake Rd		Charlotte	NC	28212
2021-011	Wilora Lake Neighborhood Association	Mary	Traynham	4044 Mayberry lane		Charlotte	NC	28212
2021-011	Wilora Lake/ Verndale Glen Neighborhood Association	Bobbi	Almond	617 Wilora Landing Road		Charlotte	NC	28212
2021-011	Windsor Park	Greg	Asciutto	3414 Bonneville Drive		Charlotte	NC	28205
2021-011	Windsor Park Neighborhood Association, Inc	Scott	Robinson	4026 Woodgreen Terrace		Charlotte	North Carolina	28205
2021-011	Windsor Park Neighborhood Association, Inc.	Glenn	Wingate	4007 Belshire Lane		Charlotte	North Carolina	28205
2021-011	Windsor Park Neighbors Association	John	Ryan	1826 Lansdale Dr		Charlotte	NC	28205
2021-011	Winterfield Neighborhood Association	Diane	Langevin	3825 Winterfield PI		Charlotte	NC	28205
2021-011	Winterfield Neighborhood Association	John	Griffith	3514 Rosehaven Dr		Charlotte	NC	28205
2021-011	Winterfield Neighborhood Association	Karen	MacKenzie	3601 Winterfield PI		Charlotte	NC	28205

#### NOTICE TO INTERESTED PARTIES OF COMMUNITY MEETING

Subject: Community Meeting - Rezoning Petition No. 2021-011 filed by Movement

Resources to request the rezoning of an approximately 4.140 acre site located on the north side of Central Avenue between North Sharon Amity Road and Los Amigos Avenue (the Movement School Eastland site) from the MUDD-O zoning

district to the MUDD-O Site Plan Amendment zoning district

Date and Time of Meeting:

Thursday, March 4, 2021 at 6:30 p.m.

Place of Meeting: See Below for Information on How to Access the Virtual Community Meeting

We are assisting Movement Resources (the "Petitioner") in connection with a Rezoning Petition it has filed with the Charlotte Planning, Design & Development Department requesting the rezoning of an approximately 4.140 acre site located on the north side of Central Avenue between North Sharon Amity Road and Los Amigos Avenue (the Movement School Eastland site) from the MUDD-O zoning district to the MUDD-O Site Plan Amendment zoning district. The purpose of this rezoning request is to amend the approved conditional rezoning plan for the site to allow an additional maximum 6,000 square foot building on the site and to allow the following uses on the site in addition to the existing uses: professional and general office uses, retail and personal service uses and restaurant uses (including, potentially, a restaurant with accessory drive through windows).

The Petitioner will hold a virtual Community Meeting prior to the Public Hearing on this Rezoning Petition for the purpose of discussing this rezoning proposal with nearby property owners and organizations. The Charlotte Planning, Design & Development Department's records indicate that you are either a representative of a registered neighborhood organization or an owner of property that adjoins, is located across the street from, or is near the site.

Accordingly, on behalf of the Petitioner, we invite you to participate in the virtual Community Meeting regarding this Rezoning Petition on Thursday, March 4, 2021 at 6:30 p.m. Area residents and representatives of area organizations who would like to participate in the Community Meeting must email their personal email addresses to <a href="mailto:communitymeeting@robinsonbradshaw.com">communitymeeting@robinsonbradshaw.com</a> to receive an electronic invitation and link to the Community Meeting. If you do not have access to the internet or cannot otherwise participate in the Community Meeting and would like a hard copy of the presentation mailed to you, please contact John Carmichael at the email address or phone number below.

Once you log into the Community Meeting, a presentation regarding the Rezoning Petition will be provided. After the presentation, attendees will have an opportunity to ask questions.

The presentation will also be available on-line for review for a period of at least 10 days after the Community Meeting. The presentation will be posted on the Planning Department's webpage for this Rezoning Petition (Rezoning Petition No. 2021-011), and the link to this webpage is: <a href="https://charlottenc.gov/planning/Rezoning/RezoningPetitions/2021Petitions/Pages/2021-011.aspx">https://charlottenc.gov/planning/Rezoning/Rezoning/RezoningPetitions/2021Petitions/Pages/2021-011.aspx</a>. You can also continue to contact us with questions after the Community Meeting.



Representatives of the Petitioner look forward to sharing this rezoning proposal with you and to answering your questions.

In the meantime, should you have any questions or comments, please call John Carmichael at (704) 377-8341 or email John Carmichael at <u>jcarmichael@robinsonbradshaw.com</u>.

Thank you.

Robinson, Bradshaw & Hinson, P.A.

cc: Council Member Matt Newton, Charlotte City Council District 5 (via email)
Mr. Will Linville, Charlotte Planning, Design & Development Department (via email)

Date Mailed: February 19, 2021

Meeting ID	Topic	Start Time	End Time	User Email	Duration (Minutes)	Participai	nts
9906869713	1 Movement Resources – Central Avenue Site Rezoning Request Community Meeting (2021-011)	3/4/2021 18:01	3/4/2021 18:59	hdzoom1@robinsonbradshaw.com	5	8	10
Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)	Guest		
John Carmichael	jcarmichael@robinsonbradshaw.com	3/4/2021 18:01	3/4/2021 18:59		58 No		
Greg Welsh	greg@oak.engineering	3/4/2021 18:14	3/4/2021 18:59		45 Yes		
Garrett McNeil	garrett@movementfoundation.org	3/4/2021 18:20	3/4/2021 18:59		39 Yes		
Tim Hurley	tim.hurley@movementfoundation.org	3/4/2021 18:26	3/4/2021 18:59		33 Yes		
1704953843		3/4/2021 18:29	3/4/2021 18:31		3 Yes		
Bobbi Almond	bobbialmond@gmail.com	3/4/2021 18:29	3/4/2021 18:59		30 Yes		
La'Shell	onelifeyfs@gmail.com	3/4/2021 18:30	3/4/2021 18:59		29 Yes		
Susie Hines	dolls4ever@bellsouth.net	3/4/2021 18:32	3/4/2021 18:59		27 Yes		
1704953843		3/4/2021 18:32	3/4/2021 19:00		29 Yes		
Matt	matt.newton@charlottenc.gov	3/4/2021 18:38	3/4/2021 18:58		20 Yes		



# Rezoning Petition No. 2021-011



Movement Resources, Petitioner

Community Meeting
Mauch 4, 2021

ROBINSON BRADSHAW

Charlotte: Research Triangle: Rock Hill robinsonbradshaw.com

### Rezoning Team

- Garrett McNeill, Movement Resources
- Tim Hurley, Movement Resources
- Greg Welsh, Oak Engineering
- John Carmichael, Robinson, Bradshaw & Hinson



#### Current Rezoning Schedule

Public Hearing:

Monday, April 19, 2021 at

5:00 PM at the Charlotte-Mecklenburg

**Government Center** 

Zoning Committee:

Tuesday, May 4, 2021 at

5:30 PM at the Charlotte-Mecklenburg

Government Center

City Council Decision: Monday, May 17, 2021 at

5:00 PM at the Charlotte-Mecklenburg

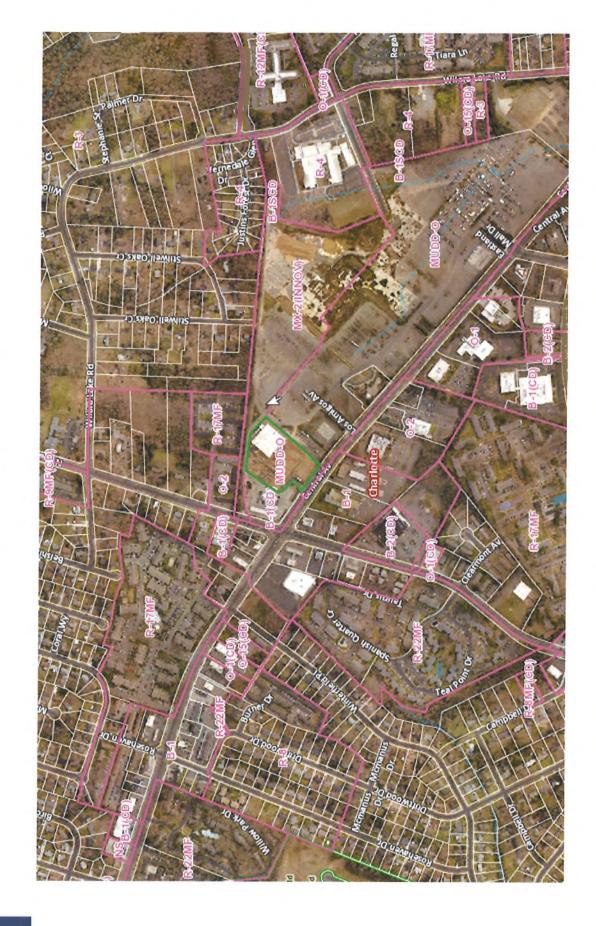
Government Center



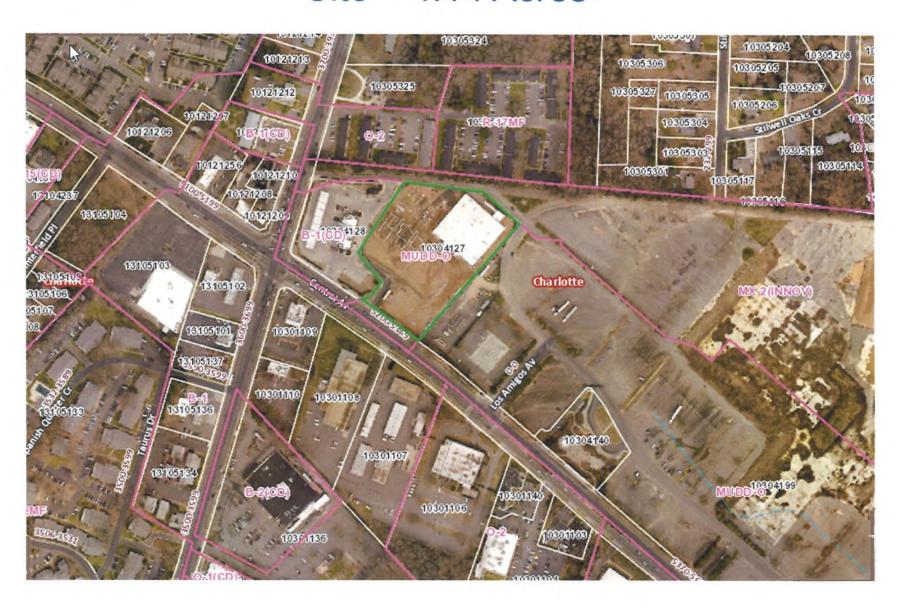
#### Site – 4.14 Acres



# Site - 4.14 Acres



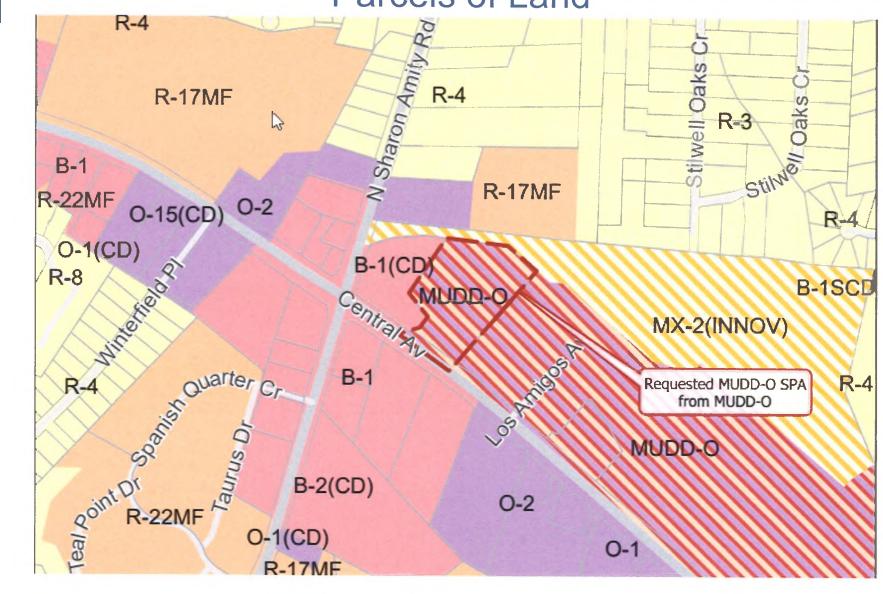
#### Site - 4.14 Acres



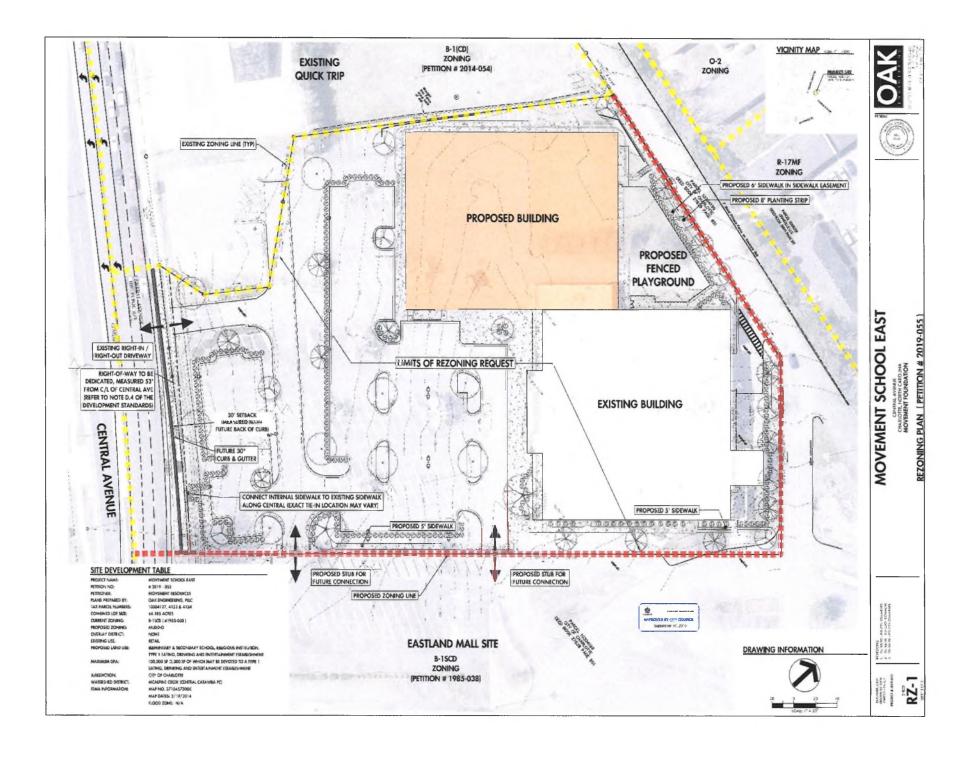
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Site - 4.14 Acres

# Current Zoning of the Site and Surrounding Parcels of Land



Currently Approved Rezoning Plan for the Site



# Currently Approved Rezoning Plan for the Site

The following uses are permitted on the site:

- (1) An elementary and secondary school comprised of a kindergarten, an elementary school and a middle school;
- (2) An eating, drinking and entertainment establishment (Type 1); and
- (3) A religious institution as a secondary, non-principal and/or accessory use to the school

# Currently Approved Rezoning Plan for the Site

A maximum of two principal buildings are permitted on the site

The total maximum allowed gross floor area of the principal buildings on the site is 100,000 square feet

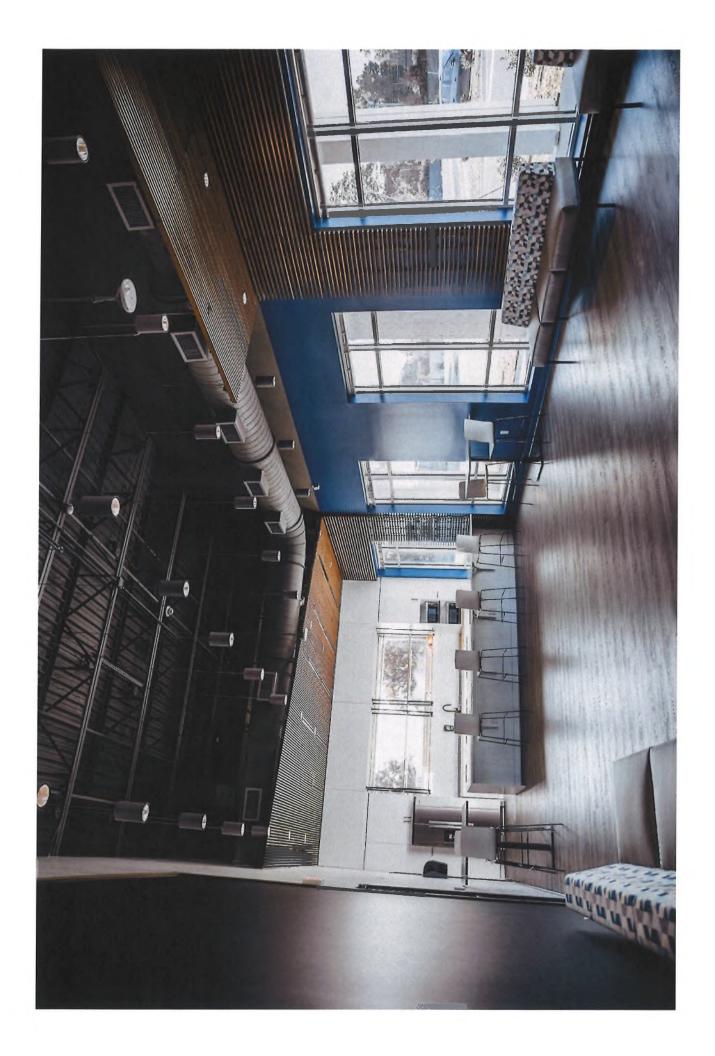
The maximum size of an eating, drinking and entertainment establishment Type 1 is 2,000 square feet of gross floor area

Drive-in and drive-through service lanes/windows are prohibited on the site

## **Movement School Eastland**











## Site Plan Amendment Request

Requesting an amendment to the approved conditional rezoning plan for the site to allow an additional maximum 6,000 square foot building on the site and the following uses on the site in addition to the existing approved uses:

- (1) Professional and general office uses, including a medical clinic;
- (2) Retail and personal service uses; and
- (3) Eating, drinking and entertainment establishments (Type 1 and/or Type 2). The option for accessory drive through windows will be removed from the Rezoning Plan

## Site Plan Amendment Request

A maximum of three principal buildings could be located on the site

The total maximum gross floor area of the three principal buildings would be 106,000 square feet

Of the allowed 106,000 square feet of gross floor area, a total maximum of 8,000 square feet could be devoted to eating, drinking and entertainment establishments (Type 1 and/or Type 2) and retail sales and service uses

Of the allowed 106,000 square feet of gross floor area, a total maximum of 15,000 square feet could be devoted to professional business and general office uses, including a medical clinic

#### Land Use Plan



# Rezoning Plan

